

REMARKS

In reply to the final Office Action, Applicants respectfully request reconsideration of the above-captioned application. The undersigned wishes to thank the Examiner for the courtesies extended during the interview of February 5, 2008.

During the interview, the Examiner indicated that he believed the rejection would be withdrawn if the claims captured the concept that the face detection mode and the motion detection mode were "concurrent". In discussing this point during the telephone conversation, the undersigned understands that the Office wants to see reflected in the claims more concretely is the concept that the face protection mode and the motion detection mode are alternative modes relative to one another, and not one being subsumed in the other, as in the prior art. The claims have been amended accordingly, e.g., claim 1 now recites *inter alia* a "determining a current mode from a face detection mode and a motion detection mode, said face detection mode and said motion detection mode being alternative modes relative to one another". A number of minor changes to the claims have been made to place them in more conventional U.S. claim format.

It is respectfully submitted that the claims capture the concept the Examiner indicate should be clarified in order to clearly place the claims in condition for allowance.

For complete, the following brief comments are offered. The final Office Action of November 28, 2007, repeated the rejections of claim 1, 9, 15, 21, 29 and 35 as allegedly being anticipated under 35 U.S.C. §102(e) as allegedly being anticipated by Center, Jr. (U.S. 2003/0059124), and the rejection of claims 2 and 3

under 35 U.S.C. §103 as allegedly being unpatentable over Center in view of Matsugu (U.S. 2002/0181775).

As discussed during the interview, Center utilizes face detection and as part of that motion detection. See, e.g., paragraph [0044]: "The present invention realizes that the motion information can be employed to roughly estimate the region of interest within the image that corresponds to the person's head." Center does not involve the same four conditional statements and the same two alternative detection modes.

It is pointed out that at page 4 and elsewhere in present original specification that an objective of the present invention is "to detect an individual's motion and figure in the image even if the face cannot be accurately detected. In order to achieve these objectives, the present invention includes face detection and motion detection, which are complementarily performed, thereby providing a method of more accurately and efficiently detecting an individual from an input image." While there are many other features and advantages of the present invention and the invention does not require this advantage, it is believed that the above discussion regarding the claim text clearly shows why Center does not anticipate claim 1 and by extension claims 9, 15, 21, 29 and 35, because claims 9 and 15 depend from claim 1 and claim 21 (from which claims 29 and 35 depend), includes similar features in apparatus claim format.

It is hoped that these brief comments will amply illustrate the difference between the presently claimed invention and the Center system.

Though not discussed during the interview, Applicants note that Matsugu was applied for allegedly teaching Gabor wavelet transformation and support of teaching

a combination of a low resolution and a high resolution support vector machine. Applicants were attempting to point out in the last reply that Center would not seem to want to use a Gabor wave transformation or the two support vector machines of claim 3 since doing so would require abandonment of the fundamentals of its operation without apparent advantage. While Applicants should have perhaps been more clear that they were not contesting the Office's suggestion that Matsugu discloses these features, Applicants were suggesting that there is no reason found in the prior art for the combination of such features with Center.

It is respectfully submitted that the distinctions found in the independent claims are sufficiently clear to warrant withdrawal of the rejection. Should the Examiner raise any additional issues, he is invited to contact the undersigned at the number listed below.

Conclusion


In light of the foregoing, Applicants respectfully request reconsideration and allowance of the above-captioned application. Should any residual issues exist, the Examiner is invited to contact the undersigned at the number listed below.

Respectfully submitted,

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